1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF WASHINGTON 9 AT SEATTLE 10 NICOLE K. OSBORN, Case No. C10-274-RSL 11 Plaintiff, ORDER REMANDING CASE 12 v. 13 MICHAEL J. ASTRUE, Commissioner 14 of the Social Security Administration, 15 Defendant. 16 17 The Court, after careful consideration of the plaintiff's complaint, the parties' briefs, all 18 papers and exhibits filed in support and opposition thereto, the Report and Recommendation of 19 the Honorable James P. Donohue, United States Magistrate Judge, and the balance of the 20 record, does hereby find and ORDER: 21 (1) The Court adopts the Report and Recommendation. 22 The final decision of the Commissioner is REVERSED and this case is (2) 23 24 REMANDED to the Social Security Administration for further proceedings not inconsistent with the Report and Recommendation. 25 26 ORDER REMANDING CASE

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(3) The Clerk of the Court is directed to send copies of this Order to the parties and to Judge Donohue.

DATED this 28th day of October, 2010.

MMS (asuik Robert S. Lasnik

United States District Judge